

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Luminant Energy Company LLC,

Plaintiff,

-against-

Koch Energy Services, LLC,

Defendant.

Case No. 1:21-cv-03335-DLC

**NOTICE OF DEFENDANT'S PARTIAL
MOTION TO DISMISS**

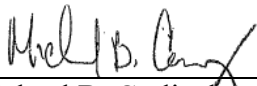
PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and the Declaration of Isaac Nesser, Defendant Koch Energy Services, LLC will and hereby does move this Court, before the Honorable Denise L. Cote at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 18B, New York, New York 10007, at a time and date to be designated by the Court, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing in part the Complaint of Plaintiff Luminant Energy Company LLC and granting any other relief as may be just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Rule 6.1(b) of the Southern District of New York, any opposing affidavits and answering memoranda shall be served within fourteen days after service of this motion to dismiss.

PLEASE TAKE FURTHER NOTICE that, in the event that this motion is denied, in whole or in part, Defendants respectfully request twenty-one days from docketing of the order denying the motion in which to answer the relevant part of the Complaint.

DATED: New York, New York
April 23, 2021

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: 

Michael B. Carlinsky
michaelcarlinsky@quinnemanuel.com
Isaac Nesser
isaacnesser@quinnemanuel.com
Nathan Goralnik
nathangoralnik@quinnemanuel.com

51 Madison Avenue, 22nd Floor
New York, New York 10010-1601
(212) 849-7000

Attorneys for Koch Energy Services, LLC